

1 BILL NO. Z-87- 10-06

2 ZONING MAP ORDINANCE NO. Z- 26-87

3 AN ORDINANCE amending the City of  
4 Fort Wayne Zoning Map No. E-2.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is  
8 hereby designated a RA (Suburban Residential) District under  
9 the terms of Chapter 33 of the Code of the City of Fort  
10 Wayne, Indiana of 1974:

11 Located in the State of Indiana, County of Allen, Part  
12 of the Northeast Quarter of Section 7, Township 30  
North, Range 12 East of the Second Principal meridian  
and more fully described as follows:

13 Commencing at the southwest corner of the Northeast  
14 Quarter of said Section 7, also being the intersection  
of the South line of said Northeast Quarter and the  
15 centerline of Getz Road;

16 Thence South 89 degrees 56 minutes 38 seconds East  
17 1441.80 feet, along the South line of said Northeast  
Quarter of Section 7, to a 5/8 inch pin found, being  
the Point of Beginning;

18 Thence North 1 degree 18 minutes 04 seconds West 375.55  
19 feet to a 5/8" pin found;

20 Thence South 89 degrees 56 minutes 06 seconds East  
21 252.33 feet to a point;

22 Thence South 1 degree 18 minutes 04 seconds East 375.51  
23 feet to a point;

24 Thence North 89 degrees 56 minutes 38 seconds West  
25 252.33 feet, along the South line of said Northeast  
Quarter of Section 7, to the Point of Beginning  
containing 2.175, more or less,

26 Located in the State of Indiana, County of Allen, part  
27 of the Northeast Quarter of Section 7, Township 30  
North, Range 12 East of the Second Principal Meridian  
and or fully described as follows:

28 Commencing at the southwest corner of the Northeast  
29 Quarter of said Section 7, also being the intersection  
of the South line of said Northeast Quarter and the  
centerline of Getz Road;

30 Thence South 89 degrees 56 minutes 38 seconds East  
31 1441.80 feet, along the South line of said Northeast  
Quarter of Section 7, to a 5/8 inch pin found;

32 Thence North 1 degree 18 minutes 04 seconds West 375.55  
feet to a 5/8 inch pin found, being the Point of



Beginning;

Thence North 89 degrees 56 minutes 10 seconds West  
326.90 feet to a fence post found;

Thence North 0 degrees 50 minutes 06 seconds West 53.45  
feet to a 1/2 inch pin found;

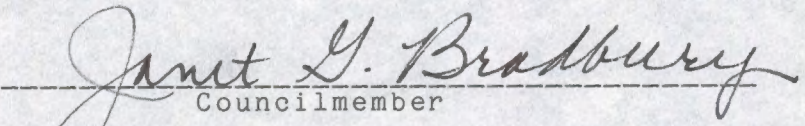
Thence North 89 degrees 17 minutes 02 seconds East  
326.86 feet to a 1/2 inch pin found;

Thence South 0 degree 50 minutes 06 seconds East 57.90  
feet to the Point of Beginning, containing 0.412 acres,  
more or less,

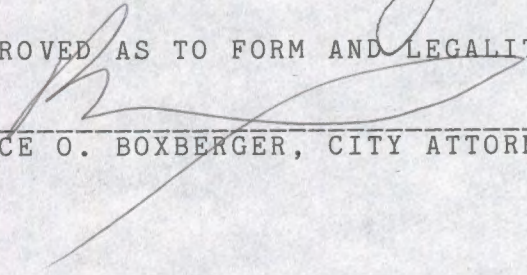
and the symbols of the City of Fort Wayne Zoning Map No.

E-2, as established by Section 11 of Chapter 33 of the Code  
of the City of Fort Wayne, Indiana are hereby changed  
accordingly.

SECTION 2. That this Ordinance shall be in full force  
and effect from and after its passage and approval by the  
Mayor.

  
Councilmember

APPROVED AS TO FORM AND LEGALITY:

  
BRUCE O. BOXBERGER, CITY ATTORNEY



Read the first time in full and on motion by Bradbury  
seconded by Redd, and duly adopted, read the second  
by title and referred to the Committee Regulations (and the  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

DATE: 10-13-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury  
seconded by Redd, and duly adopted, placed on  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>BRADBURY</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>BURNS</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>EISBART</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>HENRY</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>REDD</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>STIER</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>TALARICO</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

DATE: 11-10-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-26-87  
on the 10<sup>th</sup> day of November, 19 87

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana  
on the 12<sup>th</sup> day of November, 19 87  
at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13<sup>th</sup> day of November  
19 87, at the hour of 10<sup>00</sup> o'clock A. M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR

**RECEIPT**

No 2731

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 9-4 1987

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

Cardinal Industries \$ 50.00  
fifty 00/100 DOLLARS  
payment for Poplar Ridge  
Harris  
AUTHORIZED SIGNATURE



RECEIPT NO. \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

DATE FILED \_\_\_\_\_

INTENDED USE Apartment complex

I/We

Cardinal Industries Inc.

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an R/A District the property described as follows:

See Attached

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

1900 Black Lily Road

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Mehsin J. Powell

The Woodbridge Co. by M. J. Powell, President

Barbara Powell

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

David R. Kuhlman

(Name)

941 East 86th

(Address & Zip Code)

Indianapolis Ind 317-257-3249

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



**KOSANCHICK & ASSOCIATES, INC.**

Port Columbus International Airport  
5000 East Fifth Avenue  
Columbus, Ohio 43219  
(614) 235-5550

Our File No. 1892  
Ft. Wayne, IN  
Getz Road

Description of 2.175± Acre Tract  
For  
Cardinal Industries, Inc.

Located in the State of Indiana, County of Allen, Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East of the Second Principal meridian and more fully described as follows:

Commencing at the southwest corner of the Northeast Quarter of said Section 7, also being the intersection of the South line of said Northeast Quarter and the centerline of Getz Road;

Thence South 89° 56' 38" East 1441.80 feet, along the South line of said Northeast Quarter of Section 7, to a 5/8" pin found, being the Point of Beginning;

Thence North 1° 18' 04" West 375.55 feet to a 5/8" pin found;

Thence South 89° 56' 06" East 252.33 feet to a point;

Thence South 1° 18' 04" East 375.51 feet to a point;

Thence North 89° 56' 38" West 252.33 feet, along the South line of said Northeast Quarter of Section 7, to the Point of Beginning containing 2.175± acres more or less.

**KOSANCHICK & ASSOCIATES, INC.**

Port Columbus International Airport  
5000 East Fifth Avenue  
Columbus, Ohio 43219  
(614) 235-5550

Our File No. 1892  
Ft. Wayne, IN  
Getz Road

Description of 0.418± Acre Tract  
For  
Cardinal Industries, Inc.

Located in the State of Indiana, County of Allen, part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East of the Second Principal Meridian and more fully described as follows:

Commencing at the southwest corner of the Northeast Quarter of said Section 7, also being the intersection of the South line of said Northeast Quarter and the centerline of Getz Road;

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Thence North 89° 56' 10" West 326.90 feet to a fence post found;

Thence North 0° 50' 06" West 53.45 feet to a 1/2" pin found;

Thence North 89° 17' 02" East 326.86 feet to a 1/2" pin found;

Thence South 0° 50' 06" East 57.90 feet to the Point of Beginning, containing 0.412± acres more or less.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 13, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-10-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 19, 1987.

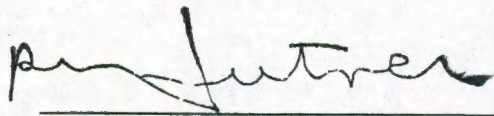
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 26, 1987.

Certified and signed this  
29th day of October 1987.

  
\_\_\_\_\_  
Robert Hutner  
Secretary



ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 1900 Block Getz Road

*3-87-1086*

EFFECT OF PASSAGE Property is presently zoned R-1 - Single Family Residential.

Property will become RA - Suburban Residential.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_



# FACT SHEET

Z-87-10-06

BILL NUMBER

## Division of Community Development & Planning

**BRIEF TITLE**

Zoning Ordinance Amendment

**APPROVAL DEADLINE****REASON**

From R-1 to RA

**DETAILS****Specific Location and/or Address**

Off of Getz Road behing the existing  
Poplar Ridge Apartment Complex

**Reason for Project**

Development of Poplar Ridge Phase III

**Discussion (Including relationship to other Council actions)**

19 October 1987 - Public Hearing

Dave Cooman, area manager of Cardinal Industries stated that they are proposing to develop Phase III of Poplar Ridge Apartments. He stated that most of the property is zoned RA and through processing they discovered that a small strip of the land is zoned R-1. He stated that he thought it was inadvertently rezoned, because when they first looked at the property it was zoned B-3-B. He stated they prepared and submitted their plans under the impression that all of the proposerty was zoned for multi-family use and sometime in May of 1987 found out that a small strip was zoned R-1, after they had completed their plans. He stated that they are proposing to build 91 units on 7.03 acres, 78 one bedrooms, 11 two bedrooms and 2 studios.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents**

Applicant(s)  
Westbridge Company  
City Department

Other

**Opponents**

Groups or Individuals

Basis of Opposition

**Staff  
Recommendation**☒ For ☐ Against

Reason Against

**Board or  
Commission  
Recommendation**

By

☒ For ☐ Against  
☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**

☐ Pass ☐ Other  
☐ Pass (as amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass



# DETAILS

26 October 1987 - Business Meeting

Motion was made by the Commission to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the eight (8) members present 7 voted in favor of the rezoning one (1) did not vote.

## POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 4 September 1987

Projected Completion or Occupancy

Date 29 October 1987

Fact Sheet Prepared by

Date 29 October 1987

Patricia Biancaniello  
Reviewed by

Date 10/30/87

*Gary Baltin*  
Reference or Case Number



BILL NO. Z-87-10-06

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of  
Fort Wayne Zoning Map No. E-2

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~) Do Pass

YES

NO

Janet G. Bradbury JANET G. BRADBURY  
CHAIRPERSON

Charles B. Redd CHARLES B. REDD  
VICE CHAIRMAN

Thomas C. Henry THOMAS C. HENRY

Paul M. Burns PAUL M. BURNS

Ben A. Eisbart BEN A. EISBART

CONCURRED IN 11-10-87

SANDRA E. KENNEDY  
CITY CLERK



